

REMARKS

The title of the application has been corrected as required by the office action.

The specification has been amended for clarity.

The claims have been amended to more specifically define applicants' contribution to the art in greater particularity. Claim 11 has also been amended to add a phrase that was inadvertently omitted from the supplemental preliminary amendment. Claim 11 has also been amended to avoid an interpretation thereof under 35 USC 112, paragraph 6, because as you choose have been added prior to the recitation of "means." For example, the "means for determining" is now required to be a "processing means for determining." Claim 14 has been cancelled and the subject matter thereof has been combined with claim 13.

Claims 15 and 16 have been added to provide applicants with the protection to which they are deemed entitled. These claims respectively depend on claims 1 and 11 and indicate there are plural service providers and plural virtual networks. Claims 1 and 11, as most broadly interpreted, cover a single service provider and a single virtual network.

Applicants traverse the rejection of claims 1-12 under U.S.C. §112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. The Office Action incorrectly alleges the terminology "predetermined access control protocol," as recited in claim 1 and 11, is vague and indefinite because it is not defined in the specification. The terminology "predetermined access control protocol" is clearly discussed in paragraphs 0010, 0031, 0033, 00039 and 0069 of the published US patent application. Such a protocol is for example the IEEE 802.1x protocol, as set forth in paragraph 0031 of the published application. Consequently, the rejection under 35 USC 112, paragraph 2, is incorrect and should be withdrawn.

Claim 12 has been amended in accordance with the Examiner's suggestion to

avoid the rejection thereof under 35 USC 101..

The rejection of claims 1,-9, 11-13 under U.S.C. §102(e) as being anticipated by Prasad, U.S. Patent No. 7,197,125 is overcome as a result of the amendments to claims 1, 11 and 13.

The rejection of claim 10, dependent on claim 1, under U.S.C. §103(a) as being unpatentable over Prasad, U.S. Patent No. 7,197,125, in view of Addington, U.S. Patent No. 7,194,756, is incorrect because Addington does not overcome the deficiencies of Prasad. The rejection of claim 10 and former claim 14 is also incorrect because one of ordinary skill in the art would not have modified Prasad as a result of Addington.

Prasad concerns managing services to which a user of a telecommunications device (e.g., PDA, mobile phone) may subscribe. In particular, Prasad relates to modifying the services subscribed to by the user. Prasad allows the user to select one or more supplementary services to which he would like to subscribe (column 13, line 42 to column 14, line 51). Access to this (these) service(s) is only possible when the user is logged in (column 13, lines 44-45) and when he has sufficient privileges to access the requested services.

Independent Claims 1 and 11 respectively relate to a method of and system for authenticating a client for access to a telecommunication network which allows the client to access services provided by service providers. As specified in amended claims 1 and 11, the compatibility of software of the client with a predetermined access control protocol for access to the virtual network is determined. If the software of the client is not compatible, information which enables the software of the client to be compatible with the predetermined access control protocol is transferred to the client.

Prasad does not disclose or suggest the requirement of amended claim 1 or the similar requirement of amended claim 11 relating to determining the compatibility of software of the client with a predetermined access control protocol for access to the virtual network. Instead, Prasad only enables a user to subscribe to one or more services, if he has the necessary privileges for the requested subscriptions (steps 5-010 of figure 5B). In other words, if the user does not have the necessary privileges, the

user cannot access the requested service(s). This is clearly different from the method of claim 1 or the system of claim 11 which allows clients with varied equipment and software to subscribe to a service provider, and thus to one or more services, even if such clients do not have software that is compatible with the access control protocol used in the telecommunication network.

Amended claims 1 and 11 are thus new and not obvious as a result of Prasad.

Addington relates to provisioning services (e. g., pay per view) in a television network, for instance. Addington configures a host in a cable set top box when such a box is purchased by a subscriber. Host files (e.g. software) are downloaded in the host by the retailer to provide the subscriber with added or modified services. Addington does not disclose or suggest the feature of claims 1 and 11 relating to determining the compatibility of software of a client with a predetermined access control protocol for access to the virtual network.

Amended claims 1 and 11 are thus new and not obvious as a result of Prasad alone or in combination with Addington.

Dependent claims 2-10 are patentable at least because they depend from amended claim 1.

One of ordinary skill in the art would not have modified Prasad as a result of Addington to arrive at the multiplexor of amended claim 13. Prasad relates to modifying the services subscribed to by a user of a portable two way telecommunication device user. Addington relates to configuring a host in a pay per view cable television set top box when such a box is purchased by a subscriber from a retailer. The technologies of Prasad and Addington are so diverse that one of ordinary skill in the art who is familiar with the Prasad arrangement would not have looked to Addington for modification of the Prasad arrangement. Consequently the rejection of claim 10 and former claim 14 is incorrect and the subject matter of claim 10 and amended claim 13 is not obvious and meets the requirements of 35 USC 103(a).

Allowance is in order.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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